IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 4793 OF 2005

IN

FIRST APPEAL R.C. NO. 31 OF 2004

IN

F.A.(ST) NO. 40998 OF 2002

Office Notes, Office Memoranda of Coram, appearances, Court's Orders or directions and Registrar's Orders	Court's or Judge's Orders

S.R. Nargolkar for the appellants.

P.B. Shah for respondents.

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CORAM: S.B. DESHMUKH, J.

DATE : SEPTEMBER 11, 2006.

P.C. :

1. None appears for the applicant.

2. The learned counsel for the respondent is present in court. He has pointed out the order passed by this court on 21.8.2006. On that

date also none appeared for the applicant and advocate for the respondent was present. He has taken the compilation which was tendered on record. In the interest of justice, hearing of the application was adjourned for two weeks.

3. Thereafter the matter was on the cause list of this court on 4.9.2006. On that date also none appears for the applicant. Learned Counsel Mr. P.B. Shah was present. In the interest of justice again hearing of this application was adjourned for one week. Today also none appears for the applicant. Advocate Mr. P.B.Shah who appears for the respondent is present. According to him decree for partition passed by the trial court and confirmed by the first appellate court is executed.

4. Since none appears for the applicant, previously as noted above and today also, Civil Application stands dismissed in default.

sd/-

(JUDGE)